

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, JUNE 25, 1986
ADJOURNED REGULAR MEETING

ROLL CALL Present: Council Members - Hinchman, Olson, Snider,
Pinkerton, & Reid (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City
Manager Glenn, Community Development
Director Schroeder, Finance Director Holm,
City Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Assistant City Manager Glenn.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mayor Reid.

REPORTS OF THE
CITY MANAGER

CONSENT CALENDAR In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Pinkerton, Olson second, approved the following actions hereinafter set forth.

* * * * *

CLAIMS CC-21(a) Claims were approved in the amount of \$1,745,217.37.

MINUTES The Minutes of May 21, 1986, May 28, 1986, and June 4, 1986
 were approved as written.

LAKE SHORE MEADOWS
CONDOMINIUMS, UNIT
NO. 1 APPROVED

CC-46

Council was apprised that Lakeshore Meadows Group, the developer of Lakeshore Meadows Condominiums, Unit No. 1 (one-lot condominium subdivision), has furnished the City with the final map and the improvement plans as well as the necessary agreements, guarantees and insurance certificates for this proposed subdivision.

The developer intends to install off-site improvements for three future developments together with the improvements for this subdivision. Those off-site improvements are covered in a Development Agreement for Century Boulevard, Sage Way and Sylvan Way signed by Lakeshore Meadows Group and Ford Construction Co., Inc. The improvement plans, guarantees, and insurance certificates have been submitted.

Council approved the final map for Lakeshore Meadows Condominiums, Unit No. 1, and directed the City Manager and City Clerk to execute the Subdivision and Development Agreements on behalf of the City.

TANDY RANCH, UNIT
NO. 2, APPROVED

CC-46

Tandy Ranch, a partnership, the developer of Tandy Ranch, Unit No. 2, has furnished the City with the final map and the improvement plans as well as the necessary agreements, guarantees and insurance certificates for this proposed subdivision. Tandy Ranch, Unit No. 2, is located south of Almond Drive and Tandy Ranch, Unit No. 1, and contains 58 single-family lots.

Continued June 25, 1986

Council approved the final map for Tandy Ranch, Unit No. 2, Tract No. 2043, and directed the City Manager and City Clerk to execute the Subdivision Agreement on behalf of the City.

ACCEPTANCE OF OVERLAYS-
HUTCHINS, HAM AND
TURNER

CC-45(a)

Council accepted the improvements in "Overlays-Hutchins, Ham, and Turner," and directed the Public Works Director to file a Notice of Completion with the County Recorder's Office.

The contract was awarded to Teichert Construction of Stockton on May 17, 1986 in the amount of \$351,990. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council. The final contract price was \$348,300.22. The difference between the award amount and the final contract amount is due to the actual tonnage of asphalt concrete used on the project.

ACCEPTANCE PUBLIC
SAFETY BUILDING
EVAPORATIVE CONDENSER
REPLACEMENT

CC-20

CC-14(a)

Council accepted the improvements for "PSB Evaporative Condenser Replacement" and directed the Public Works Director to file a Notice of Completion with the County Recorder's Office.

Council was apprised that this contract had been awarded to Energy Wise of Stockton on March 5, 1986 in the amount of \$13,900. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council. The final contract amount was \$13,900.

STREET ACCESS FOR
2214 WEST TOKAY
STREET

CC-45

Council was advised that the property owner of 2214 West Tokay has submitted plans for a house at that location. He now has no access to Tokay Street. The developers of Westdale Subdivision still retains ownership of a 1.0 foot strip between Tokay Street and 2214 West Tokay Street. This 1.0 foot strip was shown on the Westdale Subdivision Map as Parcel "C". Parcel "C" was dedicated on the map but acceptance of the dedication by the City Council was reserved until such time as the Council required Tokay Street to be widened.

The current owners of Parcel "C" have agreed to dedicate the west 87.0 feet of this parcel to provide street access to 2214 West Tokay Street. The new owner will be installing offsite improvements to conform to present City policy.

Council accepted dedication for street access for 2214 West Tokay Street (West 87 feet of Parcel C, Westdale Subdivision)

"NO PARKING" ZONE
ESTABLISHED ON SOUTH
SIDE OF LODI AVENUE
LOWER SACRAMENTO ROAD TO
LELAND COURT

RES. NO. 86-88

CC-45(a)

CC-48(e)

CC 300

Council was informed that recently Lodi Avenue has been widened in the vicinity of Leland Acres. Curb, gutter and sidewalk was also installed in conjunction with this project. The homes of this development have reverse

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frontage. The City of Lodi recommends installing a free right turn lane on the northbound Lower Sacramento Road approach. Also, Staff recommended installing two eastbound lanes from Lower Sacramento Road to Cabrillo Court where two eastbound lanes currently exist. In order to accommodate these recommendations a 105 foot "No Parking" zone is necessary.

Council adopted Resolution No. 86-88 establishing a "No Parking" zone on the south side of Lodi Avenue from Lower Sacramento Road to Leland Court.

VARIOUS PLANS AND
SPECIFICATIONS
APPROVED

CC-12.1(a)

Council approved the following plans and specifications and authorized the advertising for bids thereon:

I. Central Avenue Curb and Gutter Replacement - Cherry Street to Tokay Street

II. Lodi Grape Bowl Seat Replacement

DESTRUCTION OF
CERTAIN RECORDS IN
CITY CLERKS OFFICE
APPROVED

RES. NO. 86-89

Council adopted Resolution No. 86-89 approving destruction of certain records in the City Clerk's Office.

CC-6
cc 300

TRANSFERS AND
APPROPRIATIONS OF
FUNDS

RES. NO. 86-90

CC-6
CC-21(a)
cc 300

Council was reminded that Article XIII B of the California State Constitution requires that all funds generated up to the City's 1985-86 Appropriation Spending Limit be appropriated. It is anticipated that the City will end the year in a surplus position over and above the original Operating Budget.

Council adopted Resolution No. 86-90 - Resolution Authorizing Transfers and Appropriations to Various Reserves.

CONTRACT RENEWAL OF
WORKERS' COMPENSATION
CLAIMS ADMINISTRATION
FOR 1986-87

CC-21.1(b)

Following receipt of a staff report regarding the City's Workers' Compensation Administration Program, Council approved and authorized the execution of the renewal of an agreement with Leonard J. Russo Insurance Services, Inc., for workers' compensation claims administration for 1986-87.

SOLID WASTE
MANAGEMENT PLAN
ADOPTED

RES. NO. 86-91

CC-7(b)
CC-54
cc 300

Notice thereof having been published in accordance with law, an affidavit of publication being on file in the office of the City Clerk, Mayor Reid continued the Public Hearing regarding the proposed County Solid Waste Management Plan.

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Council was reminded that the San Joaquin County, as lead agency, is proposing to adopt a Negative Declaration pursuant to the California Environmental Quality Act (CEQA) for the 1986 San Joaquin County Solid Waste Management Plan. A public review period has been scheduled for June 1986.

As requested by the Council, the Public Works Director prepared excerpts from the plan which are of particular concern to the City of Lodi.

Mr. Tom Horton, Solid Waste Manager, San Joaquin County, was in the audience and addressed the Council regarding the subject plan and responded to questions as were posed by the Council.

There were no other persons in the audience wishing to speak on the matter and the public portion of the hearing was closed.

Following discussion, on motion of Council Member Snider, Hinchman second, Council adopted Resolution No. 86-91 - Resolution Adopting Triennial Review Solid Waste Management Plan.

PLANNING
COMMISSION REPORT

City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of June 9, 1986.

CC-35

The Planning Commission -

1. Recommended that the City Council declare a 1 year moratorium on the issuance of Building Permits for off-premise signs so that the present sign requirements can be reviewed and improved.

On motion of Council Member Snider, Olson second, item 1, heretofore set forth, was set for Public Hearing at the Regular Council Meeting of July 16, 1986.

2. Recommended that the Land Use Element of the General Plan be amended by redesignating Assessor Parcel No's. 049-070-11, 42, 43 and 56 from Light or Medium Industrial to Heavy Industrial.
3. Recommended that Assessor Parcel No's. 049-070-11, 42, 43 and 56 be rezoned from R-1, Single-Family Residential or M-1, Light Industrial to M-2, Heavy Industrial.

On motion of Council Member Pinkerton, Hinchman second, items 2 and 3 heretofore set forth were set for Public Hearing at the Regular Council Meeting of July 16, 1986.

The Planning Commission also -

ITEMS OF INTEREST

1. Approved the request of Baumbach and Piazza, Consulting Engineers, on behalf of Leroy K. Munsch for a Tentative Parcel Map to combine two lots into one at 321 North Sacramento Street and 10 De Force in an area zoned M-2, Heavy Industrial.
2. Conditionally approved the request of USA Petroleum Corporation for a Use Permit to install a small self-service car wash unit at 2500 West Lodi Avenue in an area zoned C-S, Commercial Shopping.

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3. Determined that a Zoning Hardship existed and approved the request of Delores Becker for a Zoning Variance to reduce the required rear yard setback from 10 feet to 6 feet to permit the erection of a dwelling with an attached garage at 110 North Hutchins Street (formerly 429 West Elm Street) in an area zoned R-HD, High Density Multiple-Family Residential
4. Conditionally approved the request of Carey Development Company for a Use Permit to develop Woodlake Plaza, a 49,510 square foot shopping and retail center at 2401 West Turner Road in an area zoned C-S, Commercial Shopping.

In a related matter the Planning Commission certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on this request.

COMMUNICATIONS
(CITY CLERK)

PUBLIC HEARINGS
ON "C" AND "E"
BASINS ANNOUNCED

CC-27(a)

City Clerk Reimche announced that on Wednesday, June 25, 1986 at 7:30 pm at St. Peter's Hall, a Public Hearing is being conducted to review the Park Master Plan Concept for E Basin. A like Public Hearing is also scheduled on Thursday, June 26, 1986 at 7:30 pm at the Lodi Recreation and Parks Office regarding C Basin.

CLAIMS

CC-4(c)

On recommendation of the City Attorney and L. J. Russo Insurance Services, Inc., the City's Contract Administrator, Council, on motion of Council Member Hinchman, Olson second, denied the following Claims and referred them back to L. J. Russo Insurance Services, Inc.:

- a) Joseph Rodezno, DOL 4/16/86
- b) Walter Nuss, DOL 1/22/86
- c) William Bechthold, DOL 3/18/86

ABC LICENSES

CC-7(f)

City Clerk Reimche presented the following applications that had been received for alcoholic beverage licenses:

- a) Adkins, Ethelyn L./Melvin H.
Mel's, Fine Wines, 8 North Main Street, Lodi
Off Sale Beer and Wine
- b) Norton, Jimmy Wayne
El Rancho Bar and Grill
621 North Cherokee Lane, Lodi
On sale general eating place and caterers permit
- c) Jacques, Caroline R. and Ernest E., Jr.
Top Value Food
429 West Lockeford Street, Lodi
Off sale general

PUC APPLICATIONS

CC-7(f)

City Clerk Reimche presented to the Council a notice of Public Hearings on proposed rate changes and amendment to application to be held by the California Public Utilities Commission on June 23, 25, and July 26, 1986.

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Also presented was a letter from Pacific Gas and Electric Company regarding filing of Application No. 86-04-012 in which it requests authority from the California Public Utilities Commission, effective August 11, 1986, to decrease electric rates by approximately \$690.5 million on an annualized basis.

Also presented was a letter from Lawrence W. Harlow, President and Chairman of the American Buslines, Inc., regarding authority to increase California Intrastate Passenger Fares by approximately 13%, pursuant to Section 454 of the Public Utilities Code.

REQUEST RECEIVED
RE CUL-DE-SAC
CHANGE ON HOWARD
STREET

CC-45(a)

Following receipt of a request from Mr. and Mrs. Loren Perry for a cul-de-sac change on Howard Street, Council, on motion of Council Member Hinchman, Olson second, referred the matter to Staff and to the Planning Commission.

COMMENTS BY CITY
COUNCIL MEMBERS

UPDATE REQUESTED ON
SUBSTANCE ABUSE
CONTROL PROGRAM

CC-24(b)

Council Member Hinchman requested a report from the Police Department on the status of the Substance Abuse Control Program.

TRIPP, SOUTH DAKOTA
BUMPER STICKERS
MYSTERIOUSLY APPEARING
THROUGHOUT CITY

CC-39

Council Member Snider reported that bumper stickers announcing an upcoming celebration in Tripp, South Dakota are mysteriously appearing throughout the City.

LODI BOYS AND GIRLS
CLUB 1986 SUMMER
CONCERT SERIES
ANNOUNCED

Council Member Snider presented the calendar for the Lodi Boys and Girls Club 1986 Summer Concert Series and urged all citizens of this Community to attend.

MEASURE A TASK
FORCE UPDATE

CC-2(j)

Following introduction of the matter by Council Member Snider and an update by Community Development Director Schroeder on the activities of the Measure A Task Force, Council discussion followed with questions being directed to Staff and to the City Attorney.

Council requested that it receive periodic reports from the Measure A Task Force requesting that the initial report be received at the July 16, 1986 Regular Council meeting.

UPDATE ON MEASURE
A LAWSUIT

City Attorney Stein gave an update to the Council on the Measure A lawsuit.

COMMENTS BY THE
PUBLIC ON NON AGENDA
ITEMS

CITIZEN REQUESTS
CLEANUP OF PARKS
AND RECREATION
FACILITY

Maria Elena Serna, 325 E. Locust Street, Lodi, addressed the Council asking that the Parks and Recreation facility

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CC-16 located at the corner of Stockton Street and Locust Street be cleaned up. Mayor Reid referred the request to Staff.

REPORTS OF THE
CITY MANAGER

REGULAR CALENDAR

BENNETT AND COMPTON
REQUEST TO AMEND
MULTI-FAMILY PROJECT
AT 218 SOUTH HUTCHINS
STREET

CC-35 Council was apprised that on February 6, 1985, the City
CC-53(a) Council approved the issuance of Multiple-Family
CC-46 Development Bonds for the following projects (1) 120 units
at 1830 South Hutchins Street (i.e. Center Court Apartments
(2) 40 units at 205-225 West Lockeford Street and (3) 18
units at 218 South Hutchins Street. In November 1985 when
the Council declared the Moratorium on apartment
construction in the central and eastern portions of the
community, the Multiple-Family Bond projects on Hutchins
Street and Lockeford Street were granted exemptions.
Center Court Apartments were under construction at the time
and were outside of the Moratorium's boundaries.

At the present time plans for the 40 unit project on
Lockeford Street are in plan check. No submittal has ever
been made for 218 South Hutchins Street.

Bennett and Compton, Inc. is requesting that the City
Council permit the contractor to divide the property at 218
South Hutchins Street into three fourplex parcels and to
substitute those units for the previously approved
project. However, the developer does not contemplate using
bond proceeds for the fourplex construction.

Mr. Dennis Bennett, President, Bennett and Compton, Inc.,
1200 W. Tokay Street, Lodi, addressed the Council regarding
the matter and responded to questions as were directed by
the Council.

Following discussion, on motion of Council Member Snider,
Pinkerton second, Council determined that the history of
the subject project is such that it should continue to be
exempted from the moratorium.

COMMUNITY DEVELOPMENT
BLOCK GRANT FUNDS
FOR SIDEWALK
INSTALLATIONS

RES. NO. 86-92 Council was reminded that on May 21, 1986, the Lodi City
Council adopted Resolution No. 86-83 establishing
alternatives for providing financial assistance for
sidewalk installations in areas which meet the criteria for
the expenditures of Community Development Block Grant Funds.

City Manager Peterson apprised the Council that since this
Resolution passed the City has received information from
HUD stating that each individual property owner who applies
for financial assistance for sidewalk installations must
qualify as it relates to their economic status, if said
loan is coming out of Community Block Grants. The
Community Development Department is now working with HUD to
determine what the qualifications for individuals are in
order to receive funds from the Community Block Grants.

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Following discussion with questions being directed to Staff, Council, on motion of Mayor Reid, Hinchman second, adopted Resolution No. 86-92 amending Resolution No. 86-83 to comply with HUD requirements regarding qualifications for individuals applying for this assistance.

The motion carried by the following vote:

Ayes: Council Members - Hinchman, Olson, Snider
and Reid (Mayor)

Noes: Council Members - Pinkerton

Absent: Council Members - None

APPROVAL OF HARNEY
LANE SANITARY LANDFILL

GATE FEE AGREEMENT City Manager Peterson presented for Council's approval an agreement with the County of San Joaquin providing for the implementation of a gate fee at the Harney Lane Sanitary Landfill.

CC-7(b)

City Manager Peterson advised the Council that during its 1984-85 Budget review, the County of San Joaquin, Board of Supervisors, approved the concept of charging a user fee to all users of County solid waste facilities. Since that time the necessary agreements have been prepared and ordinance amendments have been adopted providing for the implementation of this fee at all such facilities throughout the County. The gate fee was implemented effective March 1, 1986. However, because of an existing agreement in effect between the City and the County this gate fee was not applied to refuse brought to the Harney Lane Sanitary Landfill generated by City of Lodi residents and commercial establishments. The gate fee to be implemented at the Harney lane site is \$2.00 per cubic yard. As the Council is aware, Lodi's industrial community is not included in the City franchise agreement with Sanitary City Disposal Company. It was the County's intention to apply this gate fee to industrial waste brought to the Harney Lane site effective March 1, 1986. At its regular meeting of February 19, 1986 the City Council directed the City Manager to write to the County Board of Supervisors requesting a 60-day delay of the implementation of this fee to provide time for the City to review the entire refuse collection service within the City. The Board of Supervisors honored this request. In early May the County advised the City that the 60-day grace period had expired and that the gate fee would, effective May 19, 1986, be charged on industrial waste brought to the Harney Lane site. The City Manager reported that he had apprised the Council of this at the Regular Council Meeting of May 7, 1986.

At the time the 60-day delay was granted the County and Mr. Dave Vaccarezza executed an agreement which provided that the gate fee would not be applied to refuse brought to the Harney Lane site generated by the City of Lodi residential, commercial, industrial customers and City of Lodi vehicle collection service until the City and County "establish and execute an agreement regarding the switching of the City of Lodi to the gate fee system".

Thus the gate fee cannot be applied to waste generated in the City and taken to the landfill by a commercial hauler (i.e. Sanitary City Disposal Co., California Waste Removal System, Inc.) until the proposed agreement is approved. As

Continued June 25, 1986

a result, as matters stand at this moment, the gate fee established March 1, 1986 excludes Lodi residential, commercial and industrial waste and waste from municipal vehicles. The study to review the refuse collection service in this City is now underway and should be completed in 8-10 weeks.

The County recognizes the City's desire to complete the study now underway and to thoroughly evaluate the results of that study. In view of this, at City staff's request, the agreement provides that "... the actual imposition of charges for gate fees for residential and commercial refuse generated by City residential and commercial sources shall be delayed no later than December 31, 1986". It is the County's position that the imposition of the gate fee is necessary because of a mounting deficit in this operation. This deficit has been the result of increased operating costs; increased closure costs as a result of new State requirements for closure; inadequate funding from both the City of Lodi and the County's franchised and licensed collection activities; and the non-payment of disposal fees for some waste brought to the site. Included in this last category is waste generated by Lodi's industrial community.

The proposed agreement is the result of a number of lengthy negotiating sessions involving several members of both the City and County staffs. The County's figures, with which the City staff has no argument, would translate to an increase to residential and commercial customers of approximately 8.2%. This would take the first can residential rate from \$4.87 to \$5.27; the second can from \$2.35 to \$2.54. The commercial rates would go from \$6.83 to \$7.39 for the first can; \$11.22 to \$12.14 for two cans. This is also an approximate 8.2% increase. The impact on the industrial community is considerably different. For example, the current charges for a 20-yard bin is \$95.00. Mr. Vaccarezza has advised the City that a dump fee is not included in this figure since none is presently charged. Adding the proposed \$2.00 per cubic yard gate fee (\$2.00 x 20 cubic yards = \$40.00) takes this figure from \$95.00 to \$135.00, an increase of approximately 42%. Obviously, this increase is considerably more than the residential-commercial adjustment. However, since apparently no dump fees have, to this date, been charged to the industrial customers, this segment of our community has benefitted from lower disposal fees in past years.

Following a lengthy discussion with questions being directed to Staff, Council, on motion of Mayor Reid, Olson second, continued this matter to the Regular Council Meeting of July 2, 1986 requesting amended language be included in the proposed agreement for Council review and approval.

1986-87 BUDGET Council continued its review of the proposed 1986-87 Budget. No formal action was taken by the Council on the matter.

CC-21 (b)

ADDITIONAL INFORMAL
INFORMATIONAL
MEETING SCHEDULED

To assist in the review of the proposed 1986-87 Budget, Council tacitly agreed that Informal Informational Meetings of the Council would be held at 7:00 a.m. on both Tuesday, July 1, 1986 and Wednesday, July 2, 1986.

ORDINANCES

Ordinance No. 1382 - An Ordinance of the Lodi City Council increasing the size of signs in areas zoned

Continued June 25, 1986

SIZE OF SIGNS IN
R-C-P INCREASEDORD. NO.1382
ADOPTEDCC-53(a)
CC 149

Residential-Commercial-Professional from 1 square foot of sign for each 5 lineal feet of structure to 1 square foot of sign for each 2 lineal feet of structure and that such signs may be interiorly lit having been introduced at a Regular Meeting of the Lodi City Council held June 4, 1986 was brought up for passage on motion of Mayor Pro Tempore Olson, Hinchman second. Second reading of the ordinance was omitted after reading by title, and the Ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Hinchman, Olson,
Pinkerton, Snider, and
Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

ADJOURNMENT

There being no further business to come before the Council, Mayor Reid adjourned the meeting at approximately 10:00 p.m.

Attest:

Alice M. Reunche
Alice M. Reunche
City Clerk

Continued June 25, 1986

SIZE OF SIGNS IN
R-C-P INCREASEDORD. NO.1382
ADOPTEDCC-53(a)
CC 149

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Ayes: Council Members - Hinchman, Olson,
Pinkerton, Snider, and
Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

ADJOURNMENT

There being no further business to come before the Council, Mayor Reid adjourned the meeting at approximately 10:00 p.m.

Attest:


Alice M. Reincke
City Clerk